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Practitioner's Docket No.: RIC 99-060 (977-024)

AF/2705  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Gallant, et al.

Ser. No.: 09/436,796

Group Art Unit: 2662

Filed: November 8, 1999

Examiner: Joe Logsdon

For: METHOD AND SYSTEM FOR DYNAMIC GATEWAY SELECTION IN  
AN IP TELEPHONY NETWORK

Assistant Commissioner for Patents  
Washington, DC 20231

I hereby certify that this correspondence is being faxed to  
the United States Patent and Trademark office to Examiner  
@703-872-9314 and also mailed on January 28, 2002.

Tammy S. Senecal

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

NOTE: An appeal may be based on one rejection in a prior application and one rejection in a continuing application. 62 Fed. Reg. 53,131, at 53,167; 1203 O.G. 63, at 93 (Oct. 10, 1997).

NOTE: There is no requirement for a notice of appeal to: (1) be signed; or (2) identify the appealed claims. 62 Fed. Reg. 53,131, at 53,167; 1203 O.G. 63, at 94 (Oct. 10, 1997).

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed December 18, 2001, finally rejecting claims 1-28.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

- ☒ other than a small entity.  
☐ a small entity.

A statement:

- ☐ is attached.  
☐ was already filed on \_\_\_\_\_

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(b), the fee for filing the Appeal Brief is:

- ☐ small entity \$150.00  
☒ other than a small entity \$320.00

Notice of Appeal fee due \$320.00

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Technology Center 2600

03/05/2002 SSESHE1 00000066 500289 09436796

01 FC:119 320.00 CH

03/05/2002 SSESHE1 00000067 500289 09436796

01 FC:116 400.00 CH

34

### 3. EXTENSION OF TERM

*NOTE: The time periods set forth in 37 C.F.R. 1.191 are subject to the provision of § 1.136 for patent applications. 37 C.F.R. 1.191(d). (But see 37 C.F.R. 1.645 for extension of time in interference proceedings and 37 C.F.R. 1.550(c) for extension of time in reexamination proceedings).*

*(complete (a) or (b), as applicable)*

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$110.00	\$55.00
<input checked="" type="checkbox"/> two months	\$400.00	\$190.00
<input type="checkbox"/> three months	\$870.00	\$435.00
<input type="checkbox"/> four months	\$1,360.00	\$680.00

**Fee \$400.00**

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

- (a) ☐ An extension for one month has already been secured, and the fee paid therefor of \$0.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$0.00

or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### 4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$ <u>320.00</u>
Extension fee (if any)	\$ <u>400.00</u>

**TOTAL FEE DUE \$720.00**

5. FEE PAYMENT

- ☐ Attached is a check in the sum of \$ .00.  
☒ Charge Account No. 50-0289 the sum of \$ 720.00.

6. FEE DEFICIENCY

*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in resuming the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G 31-33.*

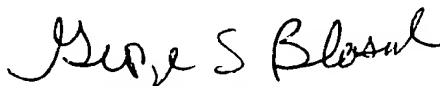
- ☒ If any additional extension and/or fee is required, this is a request therefor and to charge Account No. 50-0289.

AND/OR

- ☐ If any additional fee for claims is required, charge Account No. 50-0289.

Respectfully submitted,

Dated: January 28, 2002



George S. Blasiak  
Reg. No. 37,283

GSB/ts

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